



General Assembly

Bill No. 6003

May 9 Special Session,
2002

LCO No. 5870

Referred to Committee on No Committee

Introduced by:

REP. LYONS, 146th Dist.

SEN. SULLIVAN, 5th Dist.

AN ACT CONCERNING 21ST CENTURY UCONN.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (10) of subsection (a) of section 10a-109d of
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective July 1, 2002*):

4 (10) To borrow money and issue securities to finance the acquisition,
5 construction, reconstruction, improvement or equipping of any one
6 project, or more than one, or any combination of projects, or to refund
7 securities issued after June 7, 1995, or to refund any such refunding
8 securities or for any one, or more than one, or all of those purposes, or
9 any combination of those purposes, and to provide for the security and
10 payment of those securities and for the rights of the holders of them,
11 except that the amount of any such borrowing, the special debt service
12 requirements for which are secured by the state debt service
13 commitment, exclusive of the amount of borrowing to refund
14 securities, or to fund issuance costs or necessary reserves, may not
15 exceed the aggregate principal amount of (A) [nine hundred eighty

16 million dollars and (B)] for the fiscal years ending June 30, 1996, to
 17 June 30, 2005, inclusive, one billion thirty million dollars, (B) for the
 18 fiscal years ending June 30, 2006, to June 30, 2015, inclusive, one billion
 19 two hundred fifty million dollars, and (C) such additional amount or
 20 amounts: (i) Required from time to time to fund any special capital
 21 reserve fund or other debt service reserve fund in accordance with the
 22 financing transaction proceedings, and (ii) to pay or provide for the
 23 costs of issuance and capitalized interest, if any; the aggregate amounts
 24 of subparagraphs [(A) and (B)] (A), (B) and (C) of this subdivision are
 25 established as the authorized funding amount, and no borrowing
 26 within the authorized funding amount for a project or projects may be
 27 effected unless the project or projects are included in accordance with
 28 subsection (a) of section 10a-109e, as amended by this act.

29 Sec. 2. Subsection (a) of section 10a-109e of the general statutes is
 30 repealed and the following is substituted in lieu thereof (*Effective July*
 31 *1, 2002*):

32 (a) The university may administer, manage, schedule, finance,
 33 further design and construct UConn 2000, to operate and maintain the
 34 components thereof in a prudent and economical manner and to
 35 reserve for and make renewals and replacements thereof when
 36 appropriate, it being hereby determined and found to be in the best
 37 interest of the state and the university to provide this independent
 38 authority to the university along with providing assured revenues
 39 therefor as the efficient and cost effective course to achieve the
 40 objective of avoiding further decline in the physical infrastructure of
 41 the university and to renew, modernize, enhance and maintain such
 42 infrastructure, the particular project or projects, each being hereby
 43 approved as a project of UConn 2000, and the presently estimated cost
 44 thereof being as follows:

T1	UConn 2000 Project	Phase I	Phase II	<u>Phase III</u>
		Fiscal Years	Fiscal Years	<u>Fiscal Years</u>

		Bill No. 6003		
		1996-1999	2000-2005	<u>2005-2015</u>
T2				
T3	Agricultural Biotechnology			
T4	Facility	9,400,000		
T5				
T6	Agricultural Biotechnology			
T7	Facility Completion		10,000,000	
T8				
T9	Alumni Quadrant			
T10	Renovations		14,338,000	
T11				
T12	<u>Arjona and Monteith</u>			
T13	<u>(new classroom buildings)</u>			<u>66,100,000</u>
T14				
T15	<u>Avery Point Campus</u>			
T16	<u>Undergraduate and</u>			
T17	<u>Library Building</u>			<u>35,000,000</u>
T18				
T19	Avery Point Marine			
T20	Science Research Center -			
T21	Phase I	34,000,000		
T22				
T23	Avery Point Marine			
T24	Science Research Center -			
T25	Phase II		16,682,000	
T26				
T27	Avery Point Renovation		5,600,000	
T28				

T29	Babbidge Library	0	
T30			
T31	Balancing Contingency	5,506,834	
T32			
T33	Beach Hall Renovations	[994,000]	<u>10,000,000</u>
T34			
T35	[Beach Hall Renovation]		
T36	[Completion]	[7,758,000]	
T37			
T38	[Benton State Art Museum]		
T39	[Addition]	[3,665,000]	
T40			
T41	Benton State Art Museum		
T42	[Completion] <u>Addition</u>	1,400,000	<u>3,000,000</u>
T43			
T44	<u>Biobehavioral Complex</u>		
T45	<u>Replacement</u>		<u>4,000,000</u>
T46			
T47	<u>Bishop Renovation</u>		<u>8,000,000</u>
T48			
T49	Budds Building		
T50	Renovation	2,805,000	
T51			
T52	Business School		
T53	Renovation	4,803,000	
T54			
T55	Chemistry Building	53,700,000	
T56			

		Bill No. 6003
T57	<u>Commissary Warehouse</u>	<u>1,000,000</u>
T58		
T59	Deferred Maintenance/	
T60	Code/ADA Renovation	
T61	Lump Sum	39,332,000 <u>215,000,000</u>
T62		
T63	Deferred Maintenance &	
T64	Renovation Lump Sum	
T65	Balance	104,668,000
T66		
T67	East Campus North	
T68	Renovations	11,820,000
T69		
T70	<u>Engineering Building</u>	
T71	<u>(with Environmental</u>	
T72	<u>Research Institute)</u>	<u>42,700,000</u>
T73		
T74	Equine Center	1,000,000
T75		
T76	Equipment, Library	
T77	Collections &	
T78	Telecommunications	60,500,000 <u>200,000,000</u>
T79		
T80	Equipment, Library	
T81	Collections &	
T82	Telecommunications	
T83	Completion	182,118,146
T84		

T85	<u>Family Studies (DRM)</u>	
T86	<u>Renovation</u>	<u>6,500,000</u>
T87		
T88	<u>Farm Buildings Repairs/</u>	
T89	<u>Replacement</u>	<u>6,000,000</u>
T90		
T91	<u>Fine Arts Phase II</u>	<u>20,000,000</u>
T92		
T93	<u>Floriculture Greenhouse</u>	<u>3,000,000</u>
T94		
T95	<u>Gant Building Renovations</u>	<u>40,000,000</u>
T96		
T97	Gant Plaza Deck	0
T98		
T99	<u>Gentry Completion</u>	<u>10,000,000</u>
T100		
T101	Gentry Renovation	9,299,000
T102		
T103	Grad Dorm Renovations	7,548,000
T104		
T105	Gulley Hall Renovation	1,416,000
T106		
T107	Hartford Relocation	
T108	Acquisition/Renovation	56,762,020
T109		
T110	Hartford Relocation Design	1,500,000
T111		
T112	Hartford Relocation	

T113	Feasibility Study	500,000	
T114			
T115	Heating Plant Upgrade	10,000,000	
T116			
T117	Hilltop Dormitory New	30,000,000	
T118			
T119	Hilltop Dormitory		
T120	Renovations	3,141,000	
T121			
T122	Ice Rink Enclosure	2,616,000	
T123			
T124	<u>Incubator Facilities</u>		<u>10,000,000</u>
T125			
T126	International House		
T127	Conversion	800,000	
T128			
T129	<u>Intramural, Recreational</u>		
T130	<u>and Intercollegiate Facilities</u>		<u>31,000,000</u>
T131			
T132	<u>Jorgensen Renovation</u>		<u>7,200,000</u>
T133			
T134	<u>Koons Hall Renovation/</u>		
T135	<u>Addition</u>		<u>7,000,000</u>
T136			
T137	<u>Lakeside Renovation</u>		<u>3,800,000</u>
T138			
T139	<u>Law School Renovations/</u>		
T140	<u>Improvements</u>		<u>15,000,000</u>

T141			
T142	<u>Library Storage Facility</u>		<u>5,000,000</u>
T143			
T144	Litchfield Agricultural		
T145	Center- Phase I	1,000,000	
T146			
T147	Litchfield Agricultural		
T148	Center-Phase II	700,000	
T149			
T150	[Manchester & DRM Hall]		
T151	[Renovation]	[7,472,000]	
T152			
T153	<u>Manchester Hall</u>		
T154	<u>Renovation</u>		<u>6,000,000</u>
T155			
T156	Mansfield Apartments		
T157	Renovation	2,612,000	
T158			
T159	Mansfield Training School		
T160	Improvements	27,614,000	<u>29,000,000</u>
T161			
T162	[Monteith Renovation]	[8,234,000]	
T163			
T164	<u>Natural History Museum</u>		
T165	<u>Completion</u>		<u>4,900,000</u>
T166			
T167	North Campus Renovation	2,654,000	
T168			

T169	North Campus Renovation		
T170	Completion	21,049,000	
T171			
T172	<u>North Hillside Road</u>		
T173	<u>Completion</u>		<u>11,500,000</u>
T174			
T175	North Superblock Site		
T176	and Utilities	8,000,000	
T177			
T178	Northwest Quadrant		
T179	Renovation	2,001,000	
T180			
T181	Northwest Quadrant		
T182	Renovation	15,874,000	
T183			
T184	<u>Observatory</u>		<u>1,000,000</u>
T185			
T186	<u>Parking Garage #3</u>		<u>15,000,000</u>
T187			
T188	Parking Garage - North	10,000,000	
T189			
T190	Parking Garage - South	15,000,000	
T191			
T192	Pedestrian Spinepath	2,556,000	
T193			
T194	Pedestrian Walkways	3,233,000	
T195			
T196	<u>Psychology Building</u>		

Bill No. 6003		
T197	<u>Renovation/ Addition</u>	<u>20,000,000</u>
T198		
T199	<u>Residential Life Facilities</u>	<u>90,000,000</u>
T200		
T201	Roadways	10,000,000
T202		
T203	School of Business	20,000,000
T204		
T205	School of Pharmacy/ <u>Biology</u>	3,856,000
T206		
T207	School of Pharmacy/ <u>Biology</u>	[37,594,000]
T208	Completion	<u>61,058,000</u>
T209		
T210	Shippee/Buckley	
T211	Renovations	6,156,000
T212		
T213	Social Science K Building	20,964,000
T214		
T215	South Campus Complex	13,127,000
T216		
T217	<u>Stamford Campus</u>	
T218	<u>Improvements</u>	<u>3,000,000</u>
T219		
T220	Stamford Downtown	[41,000,000]
T221	Relocation-Phase I	<u>45,659,000</u>
T222		
T223	Stamford Downtown	
T224	Relocation-Phase II	17,392,000

T225		
T226	<u>Storrs Hall Addition</u>	<u>4,300,000</u>
T227		
T228	<u>Student Health Services</u>	<u>12,000,000</u>
T229		
T230	Student Union Addition	23,000,000
T231		
T232	<u>Support Facility</u>	
T233	<u>(Architectural and</u>	
T234	<u>Engineering Services)</u>	<u>2,000,000</u>
T235		
T236	Technology Quadrant-	
T237	Phase 1A	38,000,000
T238		
T239	Technology Quadrant-	
T240	Phase IB	16,611,000
T241		
T242	Technology Quadrant-	
T243	Phase II	72,000,000
T244		
T245	Technology Quadrant-	
T246	Phase III	15,000,000
T247		
T248	Torrey Life Science	
T249	Renovation	17,000,000
T250		
T251	<u>Torrey Renovation</u>	
T252	<u>Completion and Biology</u>	

Bill No. 6003		
T253	<u>Expansion</u>	<u>48,000,000</u>
T254		
T255	<u>Torrington Campus</u>	
T256	<u>Improvements</u>	<u>1,000,000</u>
T257		
T258	Towers Renovation	17,794,000
T259		
T260	<u>UConn Products Store</u>	<u>1,000,000</u>
T261		
T262	Undergraduate Education	
T263	Center	650,000
T264		
T265	Undergraduate Education	
T266	Center	7,450,000
T267		
T268	Underground Steam &	
T269	Water Upgrade	3,500,000
T270		
T271	Underground Steam &	
T272	Water Upgrade	
T273	Completion	9,000,000
T274		
T275	University Programs	
T276	Building - Phase I	8,750,000
T277		
T278	University Programs	
T279	Building - Phase II	
T280	Visitors Center	300,000

T281		
T282	Waring Building Conversion	7,888,000
T283		
T284	<u>Waterbury Downtown</u>	
T285	<u>Campus</u>	<u>3,000,000</u>
T286		
T287	Waterbury Property	
T288	Purchase	325,000
T289		
T290	West Campus Renovations	14,897,000
T291		
T292	<u>West Hartford Campus</u>	
T293	<u>Renovations/</u>	
T294	<u>Improvements</u>	<u>25,000,000</u>
T295		
T296	White Building Renovation	2,430,000
T297		
T298	Wilbur Cross Building	
T299	Renovation	3,645,000
T300		
T301	<u>Young Building Renovation</u>	
T302	<u>/Addition</u>	<u>17,000,000</u>
T303		
T304	<u>HEALTH CENTER</u>	
T305		
T306	<u>CLAC Renovation</u>	
T307	<u>Biosafety Level 3 Lab</u>	<u>14,000,000</u>
T308		

T309	<u>Deferred Maintenance/</u>	
T310	<u>Code/ADA Renovation</u>	
T311	<u>Sum - Health Center</u>	<u>50,000,000</u>
T312		
T313	<u>Dental School Renovation</u>	<u>5,000,000</u>
T314		
T315	<u>Equipment, Library</u>	
T316	<u>Collections and</u>	
T317	<u>Telecommunications -</u>	
T318	<u>Health Center</u>	<u>75,000,000</u>
T319		
T320	<u>Library/Student Computer</u>	
T321	<u>Center Renovation</u>	<u>5,000,000</u>
T322		
T323	<u>Main Building Renovation</u>	<u>75,000,000</u>
T324		
T325	<u>Medical School Academic</u>	
T326	<u>Building Renovation</u>	<u>9,000,000</u>
T327		
T328	<u>Parking Garage - Health</u>	
T329	<u>Center</u>	<u>8,400,000</u>
T330		
T331	<u>Research Tower</u>	<u>60,000,000</u>
T332		
T333	<u>Support Building Addition/</u>	
T334	<u>Renovation</u>	<u>4,000,000</u>
T335		
T336	<u>Total - Storrs and Regional</u>	

T337	<u>Campus Project List</u>			<u>1,043,000,000</u>
T338				
T339	<u>Total - Health Center</u>			
T340	<u>Project List</u>			<u>305,400,000</u>
T341				
T342	TOTAL	382,000,000	868,000,000	<u>1,348,400,000</u>

45 Sec. 3. Subsection (a) of section 10a-109f of the general statutes is
 46 repealed and the following is substituted in lieu thereof (*Effective July*
 47 *1, 2002*):

48 (a) The university may, when directed by vote of its board of
 49 trustees and subject to the limitations in the authorized funding
 50 amount, borrow money and enter into financing transactions
 51 proceedings in anticipation of assured revenues or project revenues in
 52 the name of the university, on behalf of the state, and issue securities in
 53 connection with such proceedings, as follows: (1) To finance the cost of
 54 UConn 2000 or any one project thereof, or more than one, or any
 55 combination of projects thereof; [(2) to finance any temporary cash
 56 flow deficit or temporary operating deficit that the board of trustees
 57 anticipate will be fully paid with the proceeds of assured revenues or
 58 the proceeds of securities dedicated to that purpose; (3)] (2) to refund
 59 securities issued pursuant to sections 10a-109a to 10a-109y, inclusive,
 60 as amended by this act; [(4)] and (3) to refund any such refunding
 61 borrowings. All securities issued in connection with assured revenues
 62 or project revenues financing transaction proceedings entered into
 63 pursuant to this section shall be authorized by a resolution approved
 64 by not less than a majority vote of its board of trustees.

65 Sec. 4. Subdivision (1) of subsection (a) of section 10a-109g of the
 66 general statutes is repealed and the following is substituted in lieu
 67 thereof (*Effective July 1, 2002*):

68 (a) (1) The university is authorized to provide by resolution, at one

69 time or from time to time, for the issuance and sale of securities, in its
70 own name on behalf of the state, pursuant to section 10a-109f, as
71 amended by this act. The board of trustees of the university is hereby
72 authorized by such resolution to delegate to its finance committee such
73 matters as it may determine appropriate other than the authorization
74 and maximum amount of the securities to be issued, the nature of the
75 obligation of the securities as established pursuant to subsection (c) of
76 this section and the projects for which the proceeds are to be used. The
77 finance committee may act on such matters unless and until the board
78 of trustees elects to reassume the same. The amount of securities the
79 special debt service requirements which are secured by the state debt
80 service commitment that the board of trustees is authorized to provide
81 for the issuance and sale in accordance with this subsection shall be
82 capped in each fiscal year in the following amounts provided, to the
83 extent the board of trustees does not provide for the issuance of all or a
84 portion of such amount in a fiscal year, all or such portion, as the case
85 may be, may be carried forward to any succeeding fiscal year and
86 provided further, the actual amount for funding, paying or providing
87 for the items described in subparagraph [(B)] (C) of subdivision (10) of
88 subsection (a) of section 10a-109d, as amended by this act, may be
89 added to the capped amount in each fiscal year:

T343	Fiscal Year	Amount
T344	1996	\$112,542,000
T345	1997	112,001,000
T346	1998	93,146,000
T347	1999	64,311,000
T348	2000	130,000,000
T349	2001	100,000,000

		Bill No. 6003
T350	2002	100,000,000
T351	2003	100,000,000
T352	2004	100,000,000
T353	[2005	50,000,000]
T354	<u>2005</u>	<u>100,000,000</u>
T355	<u>2006</u>	<u>79,000,000</u>
T356	<u>2007</u>	<u>89,000,000</u>
T357	<u>2008</u>	<u>120,000,000</u>
T358	<u>2009</u>	<u>155,000,000</u>
T359	<u>2010</u>	<u>160,500,000</u>
T360	<u>2011</u>	<u>161,500,000</u>
T361	<u>2012</u>	<u>138,100,000</u>
T362	<u>2013</u>	<u>129,500,000</u>
T363	<u>2014</u>	<u>126,500,000</u>
T364	<u>2015</u>	<u>90,900,000</u>

90 Sec. 5. Subsection (c) of section 10a-109g of the general statutes is
91 repealed and the following is substituted in lieu thereof (*Effective July*
92 *1, 2002*):

93 (c) Securities issued by the university may be issued under an
94 indenture of trust or bond resolution, shall be general obligations of
95 the university, for which its full faith and credit shall be pledged,
96 payable out of any revenues or other assets, receipts, funds or moneys
97 of the university and may be additionally secured by a pledge of

98 revenues to be derived from the operation of a project, by assured
99 revenues and by other assets other than a mortgage, subject only to
100 any agreements with the holders of particular securities pledging any
101 particular assets, revenues, receipts, funds or moneys, unless the
102 university shall otherwise expressly provide by the indenture or
103 resolution that such securities shall be special obligations of the
104 university payable solely from any revenues or other assets, including
105 project revenues, such assured revenues that may be restricted by the
106 terms of receipt thereof to a particular project or projects to be financed
107 by such special obligations subject only to any agreements with the
108 holders of particular securities pledging any particular assets,
109 revenues, receipts, funds or moneys. The form of the master resolution
110 or indenture for securities, the special debt service requirements for
111 which, are secured by the state debt service commitment and
112 containing the state covenant pursuant to section 10a-109u shall be
113 approved by the State Bond Commission prior to the first issue of such
114 securities and any substantive amendment thereof shall also be
115 approved by the State Bond Commission. At such time as the master
116 resolution or indenture is submitted to the State Bond Commission the
117 university shall file with the State Bond Commission the list of projects
118 to be financed by securities secured by the state debt service
119 commitment for the second phase of UConn 2000. The form of the
120 master resolution or indenture for securities for the third phase of
121 UConn 2000, the special debt requirements for which are secured by
122 the state debt service commitment and containing the state covenant
123 pursuant to section 10a-109u, shall be approved by the State Bond
124 Commission prior to the first issue of such securities and any
125 substantive amendment thereof shall also be approved by the State
126 Bond Commission. At such time as the master resolution or indenture
127 for the third phase of UConn 2000 is submitted to the State Bond
128 Commission, the university shall file with the State Bond Commission
129 the list of projects to be financed by securities secured by the state debt
130 service commitment for the third phase of UConn 2000.

131 Sec. 6. Subsection (g) of section 10a-109g of the general statutes is

132 repealed and the following is substituted in lieu thereof (*Effective July*
133 *1, 2002*):

134 (g) The proceeds of the securities of [each] any issue shall be used
135 solely for the purpose or purposes [for which such securities shall have
136 been authorized] identified in the master indenture, and shall be
137 disbursed in such manner and under such restrictions, if any, as the
138 university may provide in the resolution authorizing the issuance of
139 such securities or in the indenture or resolution securing the same. The
140 university shall not lease or finance or lease-finance any land or
141 building outside the Storrs campus through any other state agency or
142 quasi-public agency other than those leases, financings or lease
143 purchases in the ordinary course of its activities and provided the
144 annual expenditure thereof during the period of agreements related
145 thereto whether expressed as rent, debt service, lease purchase
146 payments or the like does not exceed for each item which is the subject
147 matter of the lease, finance or lease-finance agreement, fifty thousand
148 dollars in any year and such limitation shall apply so long as the
149 university is authorized in accordance with subsection (a) of this
150 section to issue securities under sections 10a-109a to 10a-109y,
151 inclusive, as amended by this act. The resolution providing for the
152 issuance of securities, and any indenture or resolution securing such
153 securities, may contain such limitations upon the issuance of
154 additional securities as the university may deem proper, and such
155 additional securities shall be issued under such restrictions and
156 limitations as may be prescribed by such indenture or resolution
157 provided, no such resolution or indenture shall include a covenant
158 committing the university to the issuance of additional securities
159 secured by a pledge of the state debt service commitment. The
160 university may provide for the replacement of any securities which
161 become mutilated, or are destroyed, stolen or lost. Securities may be
162 issued under sections 10a-109a to 10a-109y, inclusive, as amended by
163 this act, without obtaining the consent of any department, division,
164 commission, board, bureau, or agency of the state and without any
165 other proceedings or the happening of any other conditions or things

166 other than those proceedings, conditions or things which are
167 specifically required by sections 10a-109a to 10a-109y, inclusive, as
168 amended by this act.

169 Sec. 7. Section 10a-109n of the general statutes is repealed and the
170 following is substituted in lieu thereof (*Effective July 1, 2002*):

171 [(a) At the request of the university, filed with the Commissioner of
172 Public Works, the university may assume, and thereafter]

173 (a) Notwithstanding any provision of chapter 59 or 60, for the
174 period from July 1, 2001, to June 30, 2015, the university shall, have
175 charge and supervision of the design, planning, acquisition,
176 remodeling, alteration, repair, enlargement, demolition of any real
177 asset or any other project [which is authorized and underway as of
178 June 7, 1995] on its campuses.

179 (b) (1) The university shall cause to be prepared, proposed
180 construction standards for all projects. The proposed standards shall,
181 subject to applicable law, include, among other things, provisions
182 relating to the quality and type of materials to be used, provisions for
183 safety, fire protection, health and sanitation, provisions for the
184 installation of fixtures, furnishings, equipment, machinery and
185 apparatus, and construction features.

186 (2) Pursuant to such construction standards in effect at such time,
187 the university shall cause to be prepared, within the costs available
188 therefor, the detailed plans and specifications for each project. The
189 university may from time to time modify, or authorize modifications
190 to, such detailed plans and specifications, provided the plans and
191 specifications as so modified shall comply with the construction
192 standards, if any, adopted pursuant to sections 10a-109a to 10a-109y,
193 inclusive, and in effect at the time of the modifications, and the
194 provisions of section 10a-109e, as amended by this act, are complied
195 with.

196 (3) The university shall identify the scope of work and hire, and
197 contract with persons with the necessary experience and capability to
198 perform such scope of work.

199 (4) The university may contract with a design professional for the
200 design of any project, with a general contractor for the construction of
201 any project; and with one or more prime trade contractors with respect
202 to such construction work if the university determines that to do so
203 will be in the public interest of the state.

204 (c) (1) Any construction contract to which the university is a party
205 may include a provision that the design professional who designed the
206 project, or an architect or professional engineer or construction
207 manager retained or employed specifically for the purpose of
208 supervision, may supervise the work to be performed through to
209 completion and ensure that the materials furnished and the work
210 performed are in accordance with the drawings, plans, specifications
211 and contracts therefor.

212 (2) With respect to any construction contract that is to be publicly
213 let, the university shall identify a list of potentially responsible
214 qualified bidders for the particular contract. Thereafter, the university
215 shall give notice to those on the list of the work required and of the
216 invitation to prequalify. The invitation to prequalify shall contain such
217 information as the university shall deem appropriate and a statement
218 of the time and place where the responses shall be received. Upon
219 receipt of such responses, the university shall select each bidder which
220 has shown itself able to post surety bonds required by such contract
221 and has demonstrated that it possesses the financial, managerial and
222 technical ability and the integrity necessary and without conflict of
223 interest for faithful and efficient performance of the work provided for
224 therein. The university shall evaluate whether a bidder is responsible
225 and qualified based on its experience with projects similar to that for
226 which the bid is to be submitted and based on objective written criteria
227 and included in the request for prequalification with respect to such

228 contract. The university shall also consider whether a bidder, and any
229 subcontractor on the bidder's previous projects, has been in
230 compliance with the provisions of part III of chapter 557 and chapter
231 558 during the previous five calendar years.

232 (3) The university shall thereafter give notice to those so
233 prequalified of the time and place where the public letting shall occur
234 and shall include in such notice such information of the work required
235 as appropriate. Each bid shall be kept sealed until opened publicly at
236 the time and place as set forth in the notice soliciting such bid. The
237 university shall not award any construction contract after public
238 letting, except to the responsible qualified bidder, submitting the
239 lowest bid in compliance with the bid requirements. The university
240 may, however, waive any informality in a bid, and may either reject all
241 bids and again advertise for bids or interview at least three responsible
242 qualified bidders and negotiate and enter into with any one of such
243 bidders that construction contract which is both fair and reasonable to
244 the university.

245 (4) The invitation to bid and the construction contract awarded by
246 the university shall contain such other terms and conditions, and such
247 provisions for penalties as the university may deem appropriate.

248 (5) No payments shall be made by the university on account of any
249 contract for the project awarded by or for the university until the bills
250 or estimates presented for such payment shall have been duly certified
251 to be correct by the university. No payments shall be made from any
252 other fund on account of any contract for any project awarded by or
253 for the university until the bills or estimates presented for such
254 payment shall have been duly certified to be correct by the university.

255 (6) Provision shall be made in each contract to the effect that
256 payment is limited to the amount provided therein and that no liability
257 of the university or state shall and may be incurred beyond such
258 amount.

259 (7) The university shall require, for the protection of the state and
260 the university, such deposits, bonds and security in connection with
261 the submission of bids, the award of construction contracts and the
262 performance of work as the university shall determine to be
263 appropriate and in the public interest of the state.

264 (8) Any contract awarded by the university shall be a contract with
265 the state acting through the university.

266 (d) For the purposes of part III of chapter 557, a project undertaken
267 by the university shall be deemed to be a state public works project
268 and consist of public buildings.

269 (e) (1) Notwithstanding any provision of the general statutes, [to the
270 contrary,] any license, permit, and approval required or permitted to
271 be issued and any administrative action required or permitted to be
272 taken pursuant to the general statutes in connection with any project
273 by the university shall be issued or taken upon application to the
274 particular commissioner or commissioners having jurisdiction over
275 such license, permit, approval or other administrative action or such
276 other state official as such commissioner shall designate. As used in
277 this section, the term commissioner shall mean commissioners if more
278 than one commissioner has jurisdiction over the subject matter and
279 their designee, if any. No agency, commission, council, committee,
280 panel or other body whatsoever other than such commissioner shall
281 have jurisdiction over or cognizance of any licenses, permits,
282 approvals or administrative actions concerning any project and no
283 notice of any tentative determination or any final determination
284 regarding any such license, permit, approval or administrative action
285 and no notice of any such license, permit, approval or administrative
286 action shall be required except as expressly provided pursuant to this
287 subsection. For purposes of sections 10a-109a to 10a-109y, inclusive, as
288 amended by this act, a capital project is a state facility and accordingly,
289 no ordinance, law or regulation promulgated by or any authority
290 granted to any municipality or any other political subdivision of the

291 state shall apply to a capital project. The State Properties Review Board
292 shall have jurisdiction over any project in the same manner as
293 provided in chapter 60 for a priority higher education facility project.
294 Such commissioner may issue licenses and permits, give such approval
295 and take such administrative action as shall be necessary or desirable.

296 (2) All applications, supporting documentation and other records
297 submitted to the commissioner and pertaining to any application for
298 any license, permit, approval or other administrative action, together
299 with all records of the proceedings of the commissioner relating to any
300 license, permit, approval or administrative action shall be a public
301 record and shall be made, maintained and disclosed in accordance
302 with the Freedom of Information Act, as defined in section 1-200, as
303 amended.

304 (3) All applications for licenses, permits, approvals and other
305 administrative action required by any applicable provision of the
306 general statutes shall be submitted to the commissioner as provided in
307 subdivision (1) of this subsection. [The commissioner shall adopt a
308 master process to consider multiple licenses, permits, approvals and
309 administrative actions to the extent practicable. Each license or permit
310 shall be issued, approval shall be granted and administrative action
311 shall be taken not later than ten business days after the date of
312 submission of any application for such license, permit, approval or
313 administrative action to the commissioner. Each application for a
314 license or permit shall be deemed to have been issued, approval shall
315 be deemed to have been granted and administrative action shall be
316 deemed to have been taken as requested unless such application has
317 been denied, or conditionally issued prior to the close of business on
318 the tenth business day after either the date of submission of such
319 application, or a hearing is held on such application pursuant to this
320 section.]

321 (4) (A) Any hearing regarding all or any part of any project,
322 provided for by this section, shall be conducted by the particular

323 commissioner having jurisdiction over the applicable license, permit,
324 approval or other administrative action. Legal notice of such hearing
325 shall be published in a newspaper having general circulation in an area
326 which includes the municipality in which the particular part of such
327 project is proposed to be built or is being built not more than ten nor
328 less than five days in advance of such hearing.

329 (B) In rendering any decision in connection with any project, the
330 commissioner shall weigh all competent material and substantial
331 evidence presented by the applicant and the public in accordance with
332 the applicable statute. The commissioner shall issue written findings
333 and determinations upon which its decision is based. Such findings
334 and determinations shall consist of evidence presented including such
335 matters as the commissioner deems appropriate, provided such
336 matters, to the extent applicable to the particular permit, shall include
337 the nature of any major adverse health and environmental impact of
338 any project. The commissioner may reverse or modify any order or
339 action at any time on the commissioner's own motion. The procedure
340 for such reversal or modification shall be the same as the procedure for
341 the original proceeding.

342 (C) Any administrative action taken by any commissioner in
343 connection with any project may be appealed by an aggrieved party to
344 the superior court for the judicial district of New Britain in accordance
345 with the provisions of section 4-183, except as otherwise provided in
346 sections 10a-109a to 10a-109y, inclusive, as amended by this act. Such
347 appeal shall be brought within ten days of the date of mailing to the
348 parties to the proceeding of a notice of such order, decision or action
349 by certified mail, return receipt requested, and the appellant shall
350 serve a copy of the appeal on each party listed in the final decision at
351 the address shown in such decision. Failure to make such service
352 within such ten days on parties other than the commissioner who
353 rendered the final decision may not, in the discretion of the court,
354 deprive the court of jurisdiction over such appeal. Within ten days
355 after the service of such appeal, or within such further time as may be

356 allowed by the court, the commissioner which rendered such decision
357 shall cause any portion of the record that had not been transcribed to
358 be transcribed and shall cause either the original or a certified copy of
359 the entire record of the proceeding appealed from to be transmitted to
360 the reviewing court. Such record shall include the commissioner's
361 findings of fact and conclusions of law, separately stated. If more than
362 one commissioner has jurisdiction over the matter, such
363 commissioners shall issue joint findings of fact and conclusions of law.
364 Such appeal shall state the reasons upon which it is predicated and,
365 notwithstanding any provisions of the general statutes to the contrary,
366 shall not stay the development of any project. The commissioner which
367 rendered such decision shall appear as the respondent. Such appeals to
368 the superior court shall each be privileged matters and shall be heard
369 as soon after the return date as practicable. A court shall render its
370 decision not later than twenty-one days after the date that the entire
371 record, with the transcript, is filed with the court by the commissioner
372 who rendered the decision.

373 (D) The court shall not substitute its judgment for that of the
374 commissioner as to the weight of the evidence presented on a question
375 of fact. The court shall affirm the decision of the commissioner unless
376 the court finds that substantial rights of the party appealing such
377 decision have been materially prejudiced because the findings,
378 inferences, conclusions or decisions of the commissioner are: (i) In
379 violation of constitutional or statutory provisions, (ii) in excess of the
380 statutory authority of the commissioner, (iii) made upon unlawful
381 procedure, (iv) affected by an error of law, (v) clearly erroneous in
382 view of the reliable, probative and substantial evidence on the whole
383 record, or (vi) arbitrary, capricious or characterized by abuse of
384 discretion or clearly unwarranted exercise of discretion.

385 (E) If the court finds material prejudice, it may sustain the appeal.
386 Upon sustaining an appeal, the court may render a judgment which
387 modifies the decision of the commissioner, orders particular action of
388 the commissioner or orders the commissioner to take such action as

389 may be necessary to effect a particular action and the commissioner
 390 may issue a permit consistent with such judgment. Notwithstanding
 391 the foregoing, an applicant may file an amended application and the
 392 commissioner may, pursuant to the procedures set forth in sections
 393 10a-109a to 10a-109y, inclusive, consider an amended application for
 394 an order, permit or other administrative action following court action.

395 (F) Notwithstanding the provisions of section 3-125, in consultation
 396 with the Attorney General, the university is authorized and may use
 397 the legal services of any private attorney, in connection with the
 398 construction, operation and maintenance of any project. The board of
 399 trustees shall determine the effective and efficient method or methods
 400 of legal services to accomplish the construction, operation and
 401 maintenance of all projects, taking into account the capacity, cost and
 402 expense of private counsel for such services and the capacity and
 403 direct and indirect cost and expense of and identified by the Attorney
 404 General for such services.

405 (f) On or before December thirty-first and June thirtieth of each year,
 406 the university shall submit a report to the joint standing committee of
 407 the General Assembly having cognizance of matters relating to finance,
 408 revenue and bonding. Such report shall include the following
 409 information: (1) The names and addresses of contractors and
 410 subcontractors performing repair, addition, alteration and new
 411 construction on the university's campuses in the previous six calendar
 412 months, (2) the extent to which such contractors and subcontractors
 413 have been in compliance with the provisions of part III of chapter 557
 414 and the provisions of chapter 558, and (3) any actions taken by the
 415 university to cooperate with the Labor Department in the enforcement
 416 of said provisions.

417 Sec. 8. Section 10a-109x of the general statutes is repealed and the
 418 following is substituted in lieu thereof (*Effective July 1, 2002*):

419 (a) Not later than October 1, 1995, and semiannually thereafter, the
 420 university shall report to the Governor and the joint standing

421 committees of the General Assembly having cognizance of matters
422 relating to the Department of Education, to finance, revenue and
423 bonding, and to appropriations and the budgets of state agencies on
424 the status and progress of UConn 2000. Each report shall include, but
425 not be limited to: (1) Information on the number of projects and
426 securities authorized, approved and issued hereunder including,
427 relative to such projects, project costs, timeliness of completion and
428 any problems which have developed in implementation, and a
429 schedule of projects remaining and their expected costs; (2) the amount
430 of revenue available from all sources for such remaining projects and
431 expected receipts for such remaining projects for the succeeding four
432 quarters; (3) the amount of money raised from private sources for the
433 capital and endowment programs and the progress made in the
434 development and implementation of the fund-raising program; and (4)
435 any cooperative activities with other public and independent
436 institutions of higher education commenced in the preceding six
437 months. Each such report shall, for the preceding six-month period,
438 (A) specify the moneys credited to such fund on account of, or derived
439 from, each source of state and federal revenue, (B) specify the amount
440 of investment earnings from the fund, (C) specify the moneys from
441 such fund applied and expended for (i) the payment of debt service
442 requirements, (ii) the payment of the principal of and interest on
443 securities issued hereunder and general obligation bonds of the state
444 issued for university capital improvement purposes, and (iii) each
445 budgeted account under the annual budget appropriation made to the
446 university.

447 (b) Commencing January 1, 2000, the first semiannual report in each
448 year submitted in accordance with subsection [(b)] (a) of this section
449 shall include such information as requested by the bonding
450 subcommittee of the joint standing committee of the General Assembly
451 having cognizance of matters relating to finance, revenue and bonding,
452 including but not limited to: (1) The use of bond funds in the current
453 fiscal year, (2) projected use of bond funds for the next succeeding
454 fiscal year, (3) an updated master plan for the balance of the project,

455 and (4) the use of Connecticut-owned businesses, including businesses
456 owned by women and minorities. In the event that said bonding
457 subcommittee determines that there has been a significant change in
458 the economic circumstances of the state sufficient to warrant
459 recommendations for modification of the program, the subcommittee
460 may make recommendations for appropriate action to said committee.

461 Sec. 9. Section 10a-109y of the general statutes is repealed and the
462 following is substituted in lieu thereof (*Effective July 1, 2002*):

463 On January 15, [1999] 2006, and January 15, 2011, the university
464 shall submit to the Governor and to the joint standing committees of
465 the General Assembly having cognizance of matters relating to
466 education and finance, revenue and bonding, a [four-year] five-year
467 UConn 2000 performance review report detailing for each project
468 undertaken to date under the program the progress made and the
469 actual expenditures compared to original estimated costs. In addition,
470 the report shall include a summary of programs, services and facilities
471 which the university coordinates with other public and independent
472 institutions of higher education. Not later than sixty calendar days
473 after receipt of said report, such joint committees shall consider the
474 report and determine whether there has been insufficient progress in
475 implementation of UConn 2000 or whether there has been significant
476 cost increases over original estimates as a result of actions taken by the
477 university. If so, the committees may make recommendations for
478 appropriate action to the university and to the General Assembly.

479 Sec. 10. Section 16a-30 of the general statutes is repealed and the
480 following is substituted in lieu thereof (*Effective July 1, 2002*):

481 (a) The continuing legislative committee on state planning and
482 development shall within thirty-five days of the convening of the next
483 regularly scheduled session of the General Assembly and after public
484 hearing submit the plan with its recommendation for approval or
485 disapproval to the General Assembly. The plan shall become effective
486 when adopted by the General Assembly as the plan of conservation

487 and development for the state.

488 (b) In the event that the General Assembly disapproves the plan in
489 whole or in part the plan shall be deemed to be rejected and shall be
490 returned to the committee for appropriate action.

491 (c) Any project included in the first or second phase of UConn 2000,
492 as defined in subdivision (25) of section 10a-109c, shall constitute part
493 of the state plan of conservation and development approved by the
494 General Assembly.

495 Sec. 11. Section 16a-31 of the general statutes is repealed and the
496 following is substituted in lieu thereof (*Effective July 1, 2002*):

497 (a) The following actions when undertaken by any state agency,
498 with state or federal funds, shall be consistent with the plan:

499 (1) The acquisition of real property when the acquisition costs are in
500 excess of one hundred thousand dollars;

501 (2) The development or improvement of real property when the
502 development costs are in excess of one hundred thousand dollars;

503 (3) The acquisition of public transportation equipment or facilities
504 when the acquisition costs are in excess of one hundred thousand
505 dollars; and

506 (4) The authorization of each state grant, any application for which
507 is not pending on July 1, 1991, for an amount in excess of one hundred
508 thousand dollars, for the acquisition or development or improvement
509 of real property or for the acquisition of public transportation
510 equipment or facilities.

511 (b) A state agency shall request, and the secretary shall provide, an
512 advisory statement commenting on the extent to which any of the
513 actions specified in subsection (a) of this section conforms to the plan
514 and any agency may request and the secretary shall provide such other

515 advisory reports as the state agency deems advisable.

516 (c) The secretary shall submit and the State Bond Commission shall
517 consider prior to the allocation of any bond funds for any of the actions
518 specified in subsection (a) an advisory statement commenting on the
519 extent to which such action is in conformity with the plan of
520 conservation and development.

521 (d) Notwithstanding subsection (b) of this section, The University of
522 Connecticut shall request, and the secretary shall provide, an advisory
523 statement commenting on the extent the projects included in the third
524 phase of UConn 2000, as defined in subdivision (25) of section 10a-
525 109c, conform to the plan and the university may request and the
526 secretary shall provide such other advisory reports as the university
527 deems advisable. Notwithstanding subsection (c) of this section, the
528 secretary shall submit and the State Bond Commission shall consider
529 prior to the approval of the master resolution or indenture for
530 securities for the third phase of UConn 2000, pursuant to subsection (c)
531 of section 10a-109g, as amended by this act, the advisory statement
532 prepared under this subsection.

533 [(d)] (e) Whenever a state agency is required by state or federal law
534 to prepare a plan, it shall consider the state plan of conservation and
535 development in the preparation of such plan. A draft of such plan shall
536 be submitted to the secretary who shall provide for the preparer of the
537 plan an advisory report commenting on the extent to which the
538 proposed plan conforms to the state plan of conservation and
539 development.

540 Sec. 12. (Effective July 1, 2002) Section 34 of public act 01-173 is
541 repealed.

This act shall take effect as follows:	
Section 1	July 1, 2002
Sec. 2	July 1, 2002

Sec. 3	<i>July 1, 2002</i>
Sec. 4	<i>July 1, 2002</i>
Sec. 5	<i>July 1, 2002</i>
Sec. 6	<i>July 1, 2002</i>
Sec. 7	<i>July 1, 2002</i>
Sec. 8	<i>July 1, 2002</i>
Sec. 9	<i>July 1, 2002</i>
Sec. 10	<i>July 1, 2002</i>
Sec. 11	<i>July 1, 2002</i>
Sec. 12	<i>July 1, 2002</i>